

REMARKS

This Reply and Amendment is intended to be fully responsive to the final Office Action dated September 9, 2003.

Status of Claims

Claims 32-75 were pending in the Application. Claims 32, 43, 64, 69, and 70 are independent claims. Claims 33-42 depend from independent Claim 32. Dependent Claims 44-63 depend from independent Claim 43. Dependent Claims 65-68 depend from independent Claim 64. Dependent Claims 71-73 depend from independent Claim 70. Dependent Claims 74 and 75 depend from independent Claim 69. Claims 32-62 and 64-75 stand rejected. Claims 32, 43, 47, 64, 66, 69, 73, and 75 have been amended. Claims 32-75 are now pending in this Application.

Claim Rejections – 35 U.S.C. § 101

In Section 5 of the Office Action, the Examiner rejected Claims 64, 65, 67-75 under 35 U.S.C. § 101 "because the claimed invention is directed to non-statutory subject matter."

Independent Claim 64 (as amended) now recites a "method of classifying an individual in a work environment as a member of at least one of a plurality of work pattern groups corresponding to at least one of a plurality of work patterns based on work pattern data associated with the individual for use in organizational planning such as providing an office space layout for the individual to facilitate knowledge management in the work environment, using a database containing a plurality of work patterns accessible through a program operating on a computing device" comprising, in combination with other elements, "generating a correlation of first work pattern data and second work pattern data and third work pattern data of the individual with at least one of the plurality of work patterns contained in the database by operation of the program on the computing device". Dependent Claims 65, 67, and 68 depend from independent Claim 64.

Independent Claim 69 (as amended) now recites a "computer-based method of classifying an individual in a work environment as a member of at least one

of a plurality of work pattern groups comprising a first group, a second group, a third group, a fourth group, a fifth group, and a sixth group, using a database of predefined work characteristics accessible through a program operating on a computing device, for use in organizational planning involving the individual within the work environment" comprising, in combination with other elements, "using the program to generate a correlation of the data obtained from the individual with the database of work characteristics accessible on the computing device." Dependent Claims 74 and 75 depend from independent Claim 69.

Independent Claim 70 (as amended) now recites a "method for providing an office space layout for an individual in a work environment to facilitate knowledge management, using a database containing a plurality of work patterns accessible through a program operating on a computing device" comprising, in combination with other elements, "using the program to generate a correlation of the work pattern data with at least one of the group of characteristics corresponding to at least one of the plurality of work pattern groups." Dependent Claims 71-73 depend from independent Claim 70.

Independent Claims 64, 69 and 70, as amended, each recite a claimed invention within the technological arts. Applicants respectfully request withdrawal of the rejection of Claims 64, 65, 67-75 under 35 U.S.C. § 101.

Allowable Subject Matter

In Section 6 of the Office Action, the Examiner stated that dependent Claim 63 "would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims." Independent Claim 43, which dependent Claim 63 depends from, has been placed in condition for allowance. Therefore, Claim 63 is in condition for allowance.

In Section 6 of the Office Action, the Examiner also stated that "Claims 69 74 and 75 would be considered allowable if they overcame the 101 rejections above." Claim 69 has been amended to overcome the rejection under 35 U.S.C. § 101.

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Allowable Subject Matter

In Section 7 of the Office Action, the Examiner provided the following reasons for allowance:

None of the prior art of record, taken individually or in any combination, teach, inter alia, a method of classifying an individual in a work environment as a member of at least one of a plurality of work pattern groups comprising a first group, a second group, a third group, a fourth group, a fifth group, and a sixth group, the method comprising: measuring a work characteristic of the individual associated with performance of work by the individual; and identifying the individual as a member of at least one of the plurality of work pattern groups based on the work characteristic measured for the individual; wherein work characteristics associated with the first group include a tight work focus, highly protocolled work processes, and a low degree of interaction with other individuals in the work environment; wherein work characteristics associated with the second group include a contextual work focus, moderately protocolled work processes, and a moderate degree of interaction with other individuals in the work environment; wherein work characteristics associated with the third group include a wide work focus, logistics-oriented work processes, and a high degree of interaction with other individuals in the work environment; wherein work characteristics associated with the fourth group include a wide work focus, highly variable work processes, and a high degree of interaction with other individuals in the work environment; wherein work characteristics associated with the fifth group include a contextual work focus, moderately variable work processes, and a moderate degree of interaction with other individuals in the work environment; and wherein work characteristics associated with the sixth group include a tight work focus, well-defined work processes, and a low degree of interaction with other individuals in the work environment.

While the Applicants agree that the allowable claims recite a combination of subject matter that is patentable over the cited references, the Applicants do not necessarily agree with or acquiesce in the statement of reasons for allowance given by the Examiner. Moreover, the Applicants note that the recited subject matter as well as various other subject matter and/or combinations of subject matter may be patentable for other reasons than those given by the Examiner. The Applicants expressly reserve

the right to set forth additional and/or alternative reasons for patentability and/or allowance in connection with the present Application or in any other future proceeding.

Claim Rejections – 35 U.S.C. § 102(e)

In Section 9 of the Office Action the Examiner rejected Claims 32-34, 36-44, 46, 48-54, 56-62, 64, 66-68 and 70-73 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,292,830 titled "System For Optimizing Interaction Among Agents Acting On Multiple Levels" issued on September 18, 2001 to Taylor et al. ("Taylor et al.").

Claims 32, 43, 64, and 70 are in independent form. Claims 32-34, 36-42 depend from independent Claim 32 (as amended). Claims 44, 46-54, and 56-62 depend from independent Claim 43 (as amended). Claims 66-68 depend from independent Claim 64 (as amended). Claims 71-73 depend from independent Claim 70 (as amended).

Independent Claims 32, 43, 64, and 70 have been amended to recite subject matter believed to be patentable in view of the Examiner's statement of reasons for allowance.

Dependent Claims 33-34, 36-42, 44, 46, 48-54, 56-62, 66-68 and 71-73, which depend from independent Claims 32, 43, 64, and 70, are also patentable. See 35 U.S.C. § 112 ¶ 4.

Applicant respectfully request withdrawal of the rejection of Claims 32-34, 36-44, 46, 48-54, 56-62, 64, 66-68 and 70-73 under 35 U.S.C. § 102(e)

Claim Rejections – 35 U.S.C. § 103(a)

In Section 11 of the Office Action the Examiner rejected Claims 35, 45, 47, 55, and 65 as being obvious over Taylor et al. (a single reference) under 35 U.S.C. § 103(a).

Claims 32, 43, and 64 are in independent form Claim 35 depends from independent Claim 32 (as amended). Claims 45, 47 and 55 depend from independent Claim 43 (as amended). Claim 65 depends from independent Claim 64 (as amended).

Independent Claims 32, 43, 64, and 70 have been amended to recite subject matter believed to be patentable in view of the Examiner's statement of reasons for allowance.

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Dependent Claims 35, 45, 47, 55, and 65, which depend from independent Claims 32, 43, and 64, are patentable. See 35 U.S.C. § 112 ¶ 4.

Applicant respectfully request withdrawal of the rejection of Claims 35, 45, 47, 55, and 65 under 35 U.S.C. § 103(a).

* * *

The Applicants respectfully submit that each and every outstanding objection and rejection has been overcome, and the present Application is in a condition for allowance. The Applicants request reconsideration and allowance of pending Claims 32-75.

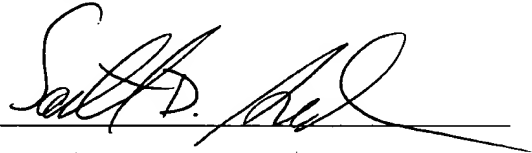
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date

11/10/03

By



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